

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

ORDER GRANTING FOUR HUNDRED FIFTY-FIRST OMNIBUS OBJECTION
(NON-SUBSTANTIVE) OF THE EMPLOYEES RETIREMENT SYSTEM OF THE GOVERNMENT OF THE
COMMONWEALTH OF PUERTO RICO TO CLAIMS ASSERTED AGAINST THE INCORRECT DEBTOR

Upon the *Four Hundred Fifty-First Omnibus Objection (Non-Substantive) of the Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Claims Asserted Against the Incorrect Debtor* (Docket Entry No. 20782) (the “Four Hundred Fifty-First Omnibus Objection”)² of the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), dated May 13, 2022, for entry of an order reclassifying

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”, and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the “Debtors”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations)

² Capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Four Hundred Fifty-First Omnibus Objection.

certain claims filed against ERS, as more fully set forth in the Four Hundred Fifty-First Omnibus Objection and supporting exhibits thereto; and the Court having jurisdiction to consider the Four Hundred Fifty-First Omnibus Objection and to grant the relief requested therein pursuant to Section 306(a) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”)³; and venue being proper pursuant to PROMESA Section 307(a); and due and proper notice of the Four Hundred Fifty-First Omnibus Objection having been provided to those parties identified therein, and no other or further notice being required; and each of the claims identified in the column titled “Asserted” in Exhibit A to the Four Hundred Fifty-First Omnibus Objection having improperly identified ERS as obligor, when such claims are properly asserted, if at all, against the Commonwealth of Puerto Rico (the “Commonwealth”) as identified in the column titled “Corrected” in Exhibit A to the Four Hundred Fifty-First Omnibus Objection; and the Court having determined that the relief sought in the Four Hundred Fifty-First Omnibus Objection is in the best interest of ERS, its creditors, and all the parties in interest; and the Court having determined that the legal and factual bases set forth in the Four Hundred Fifty-First Omnibus Objection establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED that the Four Hundred Fifty-First Omnibus Objection is GRANTED as set forth herein; and it is further

ORDERED that the claims identified in the column titled “Asserted” in Exhibit A to the Four Hundred Fifty-First Omnibus Objection (the “Reclassified Claims”) are hereby reclassified to be claims asserted against the Title III debtor(s) indicated in the column titled “Corrected” in Exhibit A; and it is further

³ PROMESA is codified at 48 U.S.C. §§ 2101-2241.

ORDERED that the Debtors' right to object to the Reclassified Claims is reserved;
and it is further

ORDERED that Kroll is authorized and directed, in the official claims register in the PROMESA cases, to move the claims identified in the column titled "Asserted" in Exhibit A to the Four Hundred Fifty-First Omnibus Objection from ERS's Title III Case (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686) to the Title III case for the debtor(s) identified in the column titled "Corrected" in Exhibit A to the Four Hundred Fifty-First Omnibus Objection; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

ORDERED that this Order resolves Docket Entry No. 20782 in Case No. 17-3283;
and it is further

SO ORDERED.

Dated: October 5, 2022

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge